IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: UBER TECHNOLOGIES, INC., PASSENGER SEXUAL ASSAULT LITIGATION	Case No. 23-md-03084-CRB
This Document Relates to: ALL CASES	**DECLARATION OF SARAH R. LONDON IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION RE: UBER'S TERMS OF USE BAR ON PARTICIPATION IN COORDINATED OR CONSOLIDATED PROCEEDINGS**

I, Sarah R. London, declare:

1.   I am an attorney in the law firm of Lieff, Cabraser, Heimann & Bernstein, LLP, appointed Co-Lead Counsel for Plaintiffs in the above-captioned Multi-District Litigation. I am a member of the State Bar of California and am admitted to practice before this Court. I make this declaration based on my own personal knowledge. If called upon to testify, I could and would testify competently to the truth of the matters stated herein

2.   Attached as **Exhibit A** is a true and correct copy of a document Uber filed on August 18, 2023 before the Judicial Panel on Multidistrict Litigation ("JPML") as an attachment to the Declaration of Alejandra O'Connor in Support of Uber's Response to Plaintiffs' Motion for Transfer ("O'Connor Declaration"). JPML ECF No. 65-2. Ms. O'Connor identified the document as Uber's Terms of Use dated **December 13, 2017**. *Id.* at ¶ 10.

3.   Attached as **Exhibit B** is a true and correct copy of a document Uber filed on August 18, 2023 before the JPML as an attachment to the O'Connor Declaration. JPML ECF No.

LONDON DECL. ISO OPP. TO TOU MOTION
CASE NO. 23-MD-03084-CRB

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65-2. Ms. O'Connor identified the document as Uber's Terms of Use dated **November 12, 2019**. *Id.* at ¶ 11.

4.   Attached as **Exhibit C** is a true and correct copy of a document Uber filed on August 18, 2023 before the JPML as an attachment to the O'Connor Declaration. JPML ECF No. 65-2. Ms. O'Connor identified the document as the Uber's Terms of Use dated **January 18, 2021**. *Id.* at ¶ 14.

5.   Attached as **Exhibit D** is a true and correct copy of a document Uber filed on August 18, 2023 before the JPML as an attachment to the O'Connor Declaration. JPML ECF No. 65-2. Ms. O'Connor identified the document as the Uber's Terms of Use dated **April 14, 2021**. *Id.* at ¶ 15.

6.   Attached as **Exhibit E** is a true and correct copy of a document Uber filed on August 18, 2023 before the JPML as an attachment to the O'Connor Declaration. JPML ECF No. 65-2. Ms. O'Connor identified the document as the Uber's Terms of Use dated **July 12, 2021**. *Id.* at ¶ 16.

7.   Attached as **Exhibit F** is a true and correct copy of Uber's Memorandum of Points and Authorities in Opposition to Petition for Coordination, filed in the relevant California Judicial Council Coordination Proceedings on August 18, 2021.

8.   Attached as **Exhibit G** is a chart created by my staff, listing each of the relevant 29 Plaintiffs and the date each was allegedly assaulted by an Uber driver. The chart was generated by referencing the Plaintiffs' MDL and/or JCCP complaints. For Plaintiff Jane Doe LS 16, Exhibit G indicates the date identified in Paragraph 6 of the Declaration of William Levin (submitted with this opposition).The chart also shows the dates Uber amended its non-consolidation clause to apply outside of the arbitration context and added the forum selection clause to its Terms of Use.

9.   Attached as **Exhibit H** is a chart created by my staff, identifying the date each of the relevant 29 Plaintiffs' cases were filed in California court and in federal court, as well as the

LONDON DECL. ISO OPP. TO TOU MOTION
CASE NO. 23-MD-03084-CRB

date Uber identifies in Exhibit C to the Sauerwein Declaration (ECF 257-2) as when each

Plaintiff assented to the Terms of Use.

10.   Attached as **Exhibit I** is a chart created by staff at my direction based on the

information provided in the Declaration of William Levin (submitted with this opposition). It

lists the date that preservation letters were sent to Uber on behalf of 14 Plaintiffs.

Executed this 12th day of March, 2024 in San Francisco, California.

/s/ Sarah R. London
Sarah R. London

LONDON DECL. ISO OPP. TO TOU MOTION
CASE NO. 23-MD-03084-CRB